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Muskie Joins Senate Foes Of Rehnquist

WASHINGTON (AP) — Sen. Edmund S. Muskie joined the opposition to William H. Rehnquist's nomination to the Supreme Court Friday as supporters' hopes for an early vote faded.

Still undisclosed was whether the Senate will take up Rehnquist's nomination first or President Nixon's nomination of attorney Lewis F. Powell Jr., of Richmond, Va., for a second vacancy on the court.

Sen. Birch Bayh, D-Ind., a leader of the opposition to Rehnquist, said he knows of no opposition to Powell and that it would be ludicrous to delay his confirmation until after a vote on Rehnquist.

But supporters of both nominations have been reluctant to confirm Powell without assurances that attempts will not be made to stall a vote on Rehnquist, an assistant attorney general whose civil rights and civil liberties record has come under attack by Democratic liberals.

In a brief Senate discussion of procedure, Sen. Barry Goldwater, R-Ariz., asked if a vote on Rehnquist's nomination could be expected on next Monday, Tuesday, Wednesday of "someday."

Bayh told him that "someday" was the most likely. He said he didn't want to filibuster but added that he and others who are "deeply concerned" about Rehnquist's nomination feel an obligation to state their case fully.

While Nixon has described both Powell and Rehnquist as judicial conservatives, Muskie said he is convinced this is not the case with respect to Rehnquist "in the time-honored meaning of the term."

The Maine Democrat, an undeclared candidate for his party's presidential nomination, said that Rehnquist's views "are those of a statist and authoritarian" rather than those of a judicial conservative.